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EDUCATION WEEK

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After Ruling, Focus in Kansas City Shifts To Putting Plan Into Action

By William Snider

KANSAS CITY, MO.—Paseo High School is an old, Gothic stone building that sits atop one of the larger hills in this city, commanding a panoramic view of tree-lined but impoverished black neighborhoods.

It is slated to be demolished this summer to make way for two new schools, a middle school and a high school, that will share a separate state-of-the-art facility for fine and performing arts.

The architects of this district's desegregation plan—one of the most expensive and ambitious ever attempted—hope the new schools, and others of comparable quality throughout the district, will lure back the thousands of white families who fled this city during earlier desegregation efforts.

Until recently, both critics and supporters of the plan have focused much of their attention on how its $500-million price tag would be met.

But the U.S. Supreme Court ended those worries last month when it ruled in a 5-to-4 decision that U.S. District Judge Russell G. Clark, who approved and oversees the plan, could order the district to increase property taxes to pay its share of the cost.

The ruling has been decried by commentators nationally as an unwarranted expansion of judicial powers, and it provoked Missouri's two U.S. Senators, John C. Danforth and Christopher S. Bond, both Republicans, to sponsor a constitutional amendment to prohibit the federal judiciary from ordering state or local officials to levy or increase taxes.

But locally, it generated none of the organized protests that occurred in 1987, when Judge Clark first doubled the district's tax rate and created an income-tax surcharge that was later struck down.

Instead, the school board's first meeting since the ruling was dominated by the fate of Paseo High School. Alumni from the school's

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William Snider/Education Week

Students in Kansas City, where officials have crafted one of the most ambitious desegregation plans ever attempted.

Asbestos Study Finds Custodians At Increased Risk

Lung Scarring Found In 28% of Employees

By Ellen Flax

School custodians run an increased risk of developing asbestos-related diseases, the results of a groundbreaking medical study suggest.

The study, sponsored by the New York City Board of Education, was conducted by Irving J. Selikoff, one of the country's leading researchers on the health effects of asbestos.

It found that 28 percent of the 660 custodians studied showed X-ray evidence of scarring of the lung tissue and surrounding areas. Among those who had been on the job 35 years or more, 39 percent showed such scarring.

According to Stephen Levin, Dr. Selikoff's colleague at Mount Sinai Hospital in New York City, such scarring is evident on X-rays in "less than 1 percent" of the general population. It is believed to be caused by exposure to asbestos, he said, and is evidence of asbestosis, a lung disease caused by inhaling asbestos fibers.

The physician said that 53 percent of the custodians who had worked more than 35 years and whose only exposure to asbestos had been at school had chest X-rays that indicated some form of lung disease.

The study, whose findings were sent last week to the New York City board, is the first to examine whether school custodians are likely to develop asbestos-related diseases as a result of their occupational exposure to asbestos.

In a separate study that has yet to be published, a researcher at Massachusetts General Hospital in Boston found scarring in the lining of the lungs of 40 percent of the 121 school custodians examined.

Another study is investigating the in-

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5-Year Study Faults Placement Practices For L.E.P. Students

By Peter Schmidt

TUCSON, ARIZ.—The types of instructional services provided to limited-English-proficient children depend primarily on local conditions and available school-district resources, not on the pupils' academic needs, concludes a U.S. Education Department study that tracked the progress of L.E.P. elementary-school students for five years.

For local educators who determine the placement of these pupils, the study found, such factors as school and classroom size and the size of L.E.P. enrollment outweigh such individual considerations as students' levels of English proficiency.

"English proficiency of the L.E.P. student does play a minor role in the assignment to services, but mostly in the earlier grade levels," according to a summary of the study's findings released here last week at the annual conference of the National Association for Bilingual Education.

The researchers found significant flaws in schools' procedures for placing children in or removing them from L.E.P. programs, and a widespread failure by schools to comply fully with district policies in this area.

In addition, they found that Spanish-speaking students, who accounted for 78 percent of the pupils studied, were far more likely to receive instruction in their native language than were other L.E.P. students.

Native-language instruction was provided to 72 percent of the Spanish-speaking 1st graders and 59 percent of the Spanish-speaking 3rd graders studied, compared with only 16 percent of 1st graders and 11 percent of 3rd graders from other linguistic minorities.

Carmen Simich-Dudgeon, director of research and evaluation for the Education

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24-Nation Effort To Compare Schools Steams Toward First Report in 1992

By Robert Rothman

The first large-scale international effort to develop a common set of measures for evaluating education systems is moving rapidly toward implementation.

The 24-nation project, undertaken by the Organization for Economic Coordination and Development, a group of Western, industrialized nations, is expected to provide the first comprehensive nation-by-nation comparisons of school systems.

Participants outlined the project's first phase at the annual meeting of the American Education Research Association in Boston last month.

In that initial 18-month period, they said, representatives of the participating countries reached general agreement on some two dozen indicators to measure the quality of education in five general areas: school enrollment, educational outcomes, school processes, resources and costs, and attitudes and expectations.

Over the next two years, participating countries will collect data for the project's first report, which is expected to be released in 1992.

Jeanne Griffith, deputy commissioner of the U.S. Education Department's National Center for Education Statistics, said the report will aid school-reform efforts in each nation by providing the first set of data against which schools can be compared.

"International comparisons represent an opportunity to present standards," she said. "Internally, you have no basis of knowing

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70 Chicago Principals Break With Colleagues To Press Board To Institute School Reforms

By Ann Bradley

A group of Chicago principals has come out strongly in favor of the city's sweeping school-reform efforts in a break with the Chicago Principals' Association, which is fighting the restructuring in the courts.

In a petition submitted last month to the city's interim board of education, the Chicago Public School Principals Coalition requested that the board make 23 changes in district procedure to help principals in their efforts to improve schools.

"We . . . do solemnly declare our commitment to the institutionalization of a restructured public-school system," the petition states.

"This petition," it continues, "is a public declaration of our collective desire to be known as positive constructionists, and not as obstructionists."

Sylvia Peters, the chairman of the coalition and the principal of Alexandre Dumas Elementary School, said last week that about 70 of the school system's 540 principals have signed "manifestos" supporting the group's positions and that more are expected to do so.

Each statement was also signed by the chairman of the school's local school council—a fact that Ms. Peters said represents a "very powerful movement" in support of school reform.

"I can't abide this negative business any longer," Ms. Peters said. "The whole thrust [of the new group] is to change the public's perception of the principalship. Right now,

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Lack of school involvement does not always signal lack of concern, a study shows.

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Two national groups are quietly mustering support for a 'new math' that will endure.

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A review of the lengthy list of states either fighting or facing equity-based lawsuits.

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Massachusetts' schools chief calls it an 'easy answer' with harmful consequences.

IN SUMMARY

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More than one-fifth of the 50 colleges of education seeking accreditation from the National Council for Accreditation of Teacher Education were denied approval last week. **Page 5.**

School Crime on the Rise
Serious crimes against New York City public-school employees increased dramatically in the first half of the school year, especially in elementary and special-education schools. **Page 5.**

Hopi Suits Settled
The Justice Department has agreed to pay $13 million to settle lawsuits brought by Hopi Indian children who said they were molested by a former teacher at a Bureau of Indian Affairs school. **Page 8.**

Cutbacks in North Carolina
School districts there are due this week to tell the state how they intend to slash nearly $40 million from their budgets in response to the state's continuing fiscal crisis. **Page 16.**

Drug-Free Schools
Education Department regulations published last week give schools wide latitude in meeting a Congressional mandate to adopt anti-drug programs and policies or risk losing federal funds. **Page 20.**

'Full Funding' for the Disabled?
A coalition of organization lobbyists and advocates for the disabled has launched a major effort on Capitol Hill to secure "full funding" for special-education programs. **Page 21.**

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ACROSS THE NATION

NATIONAL

N.G.A., A.I.D. Examine Reforms To Export to the Third World

Calling education reform an essential part of any economic-development strategy, the National Governors' Association and the U.S. Agency for International Development last week met to discuss aspects of American reform experiences that might be exported to Asian and Near Eastern nations.

"We have no magic talismans to hand out to the rest of the world," Chester E. Finn Jr., a professor of education and public policy at Vanderbilt University, said. "But there are some commonalities" of successful reforms.

For example, he and others suggested, effective restructuring efforts in the United States have focused on student performance, and have involved parents and business leaders, as well as educators.

David W. Hornbeck, a former state superintendent of education in Maryland, noted that school restructuring in Asia and the Near East likely will require new resources. But, he said, schools must first ask themselves what they want to accomplish and how they plan to do it before seeking new funds.

In addition, noted Thomas Nicastro, chief of the human-resources division of the A.I.D.'s bureau for Asia, the Near East, and Europe, countries can make major changes by redistributing existing resources and by seeking funds from nongovernmental sources.

STATES

State Age-Bias Charge Expected To Affect Maryland School Districts

The Maryland Human Relations Commission has charged the Harford County school system with age discrimination for failing to hire a 36-year-old teacher with 13 years' experience while hiring less-experienced job candidates.

The age-discrimination charge, the first of its kind in Maryland involving a teacher, is expected to have broad implications for school districts throughout the state, said Michael L. Foreman, the commission's general counsel. Many districts routinely hire less-experienced teachers in order to pay them less, he said.

The commission found that the Harford County schools discriminated against Donald L. Stoltenberg, a social-studies teacher who was told in 1987 he had "too much experience" when he inquired about a job. He later learned that four social-studies teachers were hired that year.

While it is unusual for age-discrimination cases to involve someone under age 40—the threshold under federal statutes—Maryland law specifies no minimum age.

Mr. Foreman said the commission is now negotiating with Harford County officials to settle the case. Possible remedies include offering Mr. Stoltenberg a job or compensating him for the lost wages he suffered as a result of the discriminatory action, he said.

■ **Illinois school districts may issue high-interest bonds to pay for capital improvements,** the state supreme court has ruled.

The opinion, delivered April 18, held that a 1984 bond issue by the Allendale Community Consolidated School District No. 17 in Wabash County was legal. The interest rate on the bonds, which were to be used for safety improvements, was 9.75 percent. Their total value was $275,000.

A group of taxpayers in the county sued the district, claiming state law limited the interest rate on local-government bonds to 7 percent. In 1986, their claim was dismissed in county court, but an appellate court overturned that decision in May 1989.

In its ruling, the Illinois Supreme Court cited a law passed last June by the legislature that retroactively validated all such high-interest bonds.

"The objection to the bonds which existed at the time of the appellate court's decision no longer exists," the court said.

■ **The Maine Supreme Court has unanimously upheld a lower-court decision that a 4th-grade teacher's due-process rights were not violated when she was fired for having a sexual relationship with a 15-year-old boy.**

Kathleen Elvin, who was fired by Superintendent Albert Hall of Waterville in February 1989, had acknowledged her affair and had pleaded no contest to one count of assault stemming from her sexual contact with the boy, who had babysat for her two children.

She challenged the way she was fired, however, contending that the district denied her due-process rights granted under the state constitution by not allowing her to cross-examine the boy over the contents of an affidavit he had submitted.

In upholding the Kennebec County Superior Court decision, the supreme court last month said that the affidavit was only one portion of the evidence that was "corroborated by extensive information from other sources."

■ **The federal government's count of school dropouts in Florida is highly inaccurate and should be updated,** a state auditor general's report has charged.

In an evaluation of the 1982-1988 school years, the Florida auditor general's office found that the federal dropout count had included students who had died or transferred to another district.

Since 1982, Florida has been identified by the federal government as having a graduation rate that ranks among the worst in the country.

The auditor general's report, released last month, cited consistency problems in both the state and federal dropout counts in defining who is and is not a dropout. The definition varied from county to county, it said, and students were often counted twice.

According to the report, Florida's graduation rate in 1987 was 77 percent. The federal government estimated the state's graduation rate that year at 58 percent—the lowest of any state.

Commissioner of Education Betty Castor said she was pleased that the report confirmed her suspicions that the state dropout rate was not as bad as had been reported.

A more detailed report on the state's tracking methods for dropouts is expected to be released this month.

■ **A special panel formed by the Idaho education department has recommended that students be allowed to count up to four vocational-education classes toward meeting admission requirements for state colleges and universities.**

The panel recommended that students be allowed to take two scientifically oriented vocational classes, such as horticulture or agricultural science, as part of their six-unit natural-sciences requirement for admission to state higher-education institutions.

It would also allow two of the three free electives required for admission to be vocational-education classes.

Robin Dodson, the board's chief academic officer, said the board would probably approve these changes in admission requirements for the graduating class of 1992 at its September meeting.

Not Just Another Bake Sale

Like parent-teacher groups all over the country, the Parent-Teacher Organization at the private Boca Raton (Fla.) Academy holds an annual fund raiser for the school. But unlike most other such affairs, this P.T.O. fund raiser offers participants a chance to bid on half-million-dollar homes and to win a Porsche.

Recently, some 400 "friends and family" of the academy attended the fourth annual dinner-fund raiser to bid on hundreds of items donated by parents, retailers, and businesses, said Susie Tabor, president of the academy's P.T.O.

The big draw this year was a four-bedroom waterfront house appraised at $407,800, and donated by the father of two students. The proceeds would have gone to the school, said Ms. Tabor, but no one met the undisclosed minimum bid.

Disappointed bidders still had plenty of other enticing items to consider, including an Alaskan cruise and a trip to Rio de Janeiro. Less-pricey items included a basketball jersey autographed by the former star Wilt Chamberlain, a basketball autographed by the Los Angeles Lakers, dinners at area restaurants, jewelry, and several antiques.

More traditionally, parents could bid for the honor of having a corner of the school library named after their son or daughter for a year or on a chance to trade places with the principal for a day.

The auction was followed by a drawing in which purchasers of $100 tickets were eligible to win a 1990 Porsche 944 Cabriolet (or $35,000 in cash), two tickets to fly the Concorde to London plus $1,500 spending money (or $15,000 in cash), and tuition to the academy for one year (or $5,000 in cash).

The academy's P.T.O. devotes 10 months a year to putting together the extravagant evening, but it is time well spent. The event raised close to $95,000 this year, Ms. Tabor said, topping last year's $85,000.

The proceeds, she said, will be used for student scholarships, faculty endowments, and facility improvements.

—J.W.

Abolish Grade Retention, Massachusetts Chief Says

By Robert Rothman

Launching a rare attack on one of the most widespread school policies, Massachusetts' commissioner of education last week urged the state's districts to cease retaining low-achieving students in grade.

In a report submitted to the state board of education last week, the commissioner, Harold Raynolds Jr., found that nearly all Massachusetts schools recommended students for retention in the 1989-90 school year, and that rates in urban schools and those with large minority populations were substantially higher than those in suburban and rural schools.

In some districts, some 20 percent of kindergartners and 1st graders and 35 percent of 8th graders were required to repeat grades.

But far from improving the academic and psychological fortunes of these students, the report argues, the practice is a costly move that may in fact retard their academic achievement and make it more likely that they will drop out of school.

Grade retention is "a refuge for those who take the view of education as a high-jump bar—students have to keep jumping until they get over it," Mr. Raynolds said in an interview. "That's not a very useful idea from an educational standpoint."

"It's blaming the victim because the child doesn't fit the pattern of education provided," he continued, "instead of wondering, 'What is the school doing?' "

"The school has the responsibility of making sure all children learn," the commissioner said.

Instead of retaining students, the report recommends that districts adopt alternative policies for ensuring that all students succeed. Such policies, it suggests, should include changes in curricula, new methods of grouping students, and the use of mentors.

Although the state lacks the authority to mandate such policies, Mr. Raynolds said, the department of education will consider awarding discretionary grants only to those districts that have adopted alternatives to grade retention.

In addition, he said, state officials plan to use the "bully pulpit to emphasize, highlight, underscore, and demonstrate the lack of usefulness activities such as grade retention have."

Lorrie A. Shepard, the co-editor of *Flunking Grades: Research and Policies on Retention*, a 1989 book on the issue, said Mr. Raynolds's report is one of the first attempts by a state-level policymaker to re-examine the policy of grade retention. While some states—such as Mississippi and Georgia—have backed away from controversial kindergarten-retention policies, Ms. Shepard said, there has been little public outcry about holding students back in other grades.

"It's still on the upswing," she said. "The public believes that's what you do with kids who aren't achieving."

'Tracking With a Vengeance'

The report issued last week is the second in a series aimed at examining ways to redesign school policies in order to reduce the dropout rate, which is as high as 40 percent in some Massachusetts cities, Mr. Raynolds said.

The first report, released in January, urged districts to eliminate tracking and ability-grouping, a policy that is coming under increasing scrutiny from educators. *(See Education Week, March 28, 1990.)*

Future reports will examine discipline policies and curricula, according to Dan French, a dropout-prevention specialist in the department and the author of the reports.

The issues of ability-grouping and grade retention are linked, noted Mr. Raynolds, because both practices result in low-achieving students' receiving lower-level instruction.

"Grade retention is tracking with a vengeance," he said. "We are terribly good in public education at sorting, but not good in educating children in an equitable way."

'Easy Answer'

The new report found that nearly all districts recommend retaining students in grade, and that the overall statewide rate—3.5 percent—is at the low end of the national average of between 2 percent and 8 percent.

But the rate varies widely throughout the state, the report found. Some 66 percent of the total number of students recommended for retention were in urban districts, it found, even though such districts serve only 41 percent of the state's student population.

Moreover, the annual retention rate masks the true extent of the practice, Mr. French noted. Because few students repeat more than one grade, they may show up only on one year's statistics, he said, yet many are repeating grades.

"If you followed one class from kindergarten through high-school graduation," he maintained, "well over 50 percent of the students [in some districts] would have dropped out or been retained in grade."

Such high rates also add to the cost of education, since districts must pay for the additional years of schooling, the report notes. In Massachusetts, it found, with 28,233 students recommended for retention in the 1989-90 school year and an average per-pupil cost of $4,259, the total statewide cost of retentions could be as high as $120 million.

"Such high costs would be laudable," it says, "if the practice was found to be effective in substantially raising academic achievement. However, this is not the case."

"Our public schools," it says, "are significantly increasing school budgets by retaining students without any indication that the money is well spent."

Not only is the practice ineffective in raising achievement, the report adds, it may in fact "retard academic progress, undermine student self-esteem, and ultimately contribute to a student's decision to drop out of school."

Instead of retaining low-achieving students, the report states, districts should adopt comprehensive strategies for "successfully engaging all students, especially those achieving at low levels."

It includes several examples of such programs, both in Massachusetts and elsewhere. But Mr. French said that department officials hope the report will spur districts to develop model approaches that could be replicated throughout the state.

"As far as we are concerned," he said, "grade retention is the easy answer to the complex problem of raising the achievement levels of low-achieving students."

DATABANK

Report Traces Increase in Property-Tax Revenues

Despite efforts to limit the use of property taxes to finance the schools and other local-government activities, fiscal revenues produced by property levies increased faster than personal income during much of the 1980's, according to a report by an analyst for the National Conference of State Legislatures.

"The property tax can be called the 'comeback kid' of the 1980's," writes Steven D. Gold, the organization's director of fiscal studies.

Property-tax revenues rose from $3.38 for each $100 of personal income in 1980, Mr. Gold found, to $3.51 in 1988.

The rise in property-tax revenues during the past decade was particularly notable, Mr. Gold adds, in comparison with their relative decline during the 1970's. In 1972, the average rate nationally was $4.74 per $100 of personal income.

"Property-tax relief had been a major theme in many states after 1972, and reliance on the property tax was shrinking in many states" as the 1980's began, the report explains. "But predictions of the demise of the property tax were premature."

As the chart below shows, changes in tax rates in individual states varied widely, from a 69.5 percent increase in the District of Columbia to a 38.1 percent decline in Massachusetts.

The fall in Massachusetts' rate reflected the impact of the tax-limiting Proposition 2 ½, Mr. Gold notes, as well as the economic boom enjoyed by that state until 1988.

Rate increases in such states as Louisiana, Mississippi, and Florida, on the other hand, were due to such factors as local governments' fiscal problems and the need to make up revenue losses caused by federal budget cuts.

"Cutbacks in federal aid in the 1980's were especially aimed at local governments, and they had to increase property taxes to recoup some of this lost aid," the study suggests.

Fiscal woes also contributed to a rapid rise in Texas's property-tax burden, the study indicates. That state's 1980-88 increase was second only to the District of Columbia's.

In Texas, "efforts to improve the schools relied heavily on local property taxes rather than state aid," Mr. Gold observes.

In Arizona, by contrast, property-tax revenues as a share of income declined by 13 percent. "The state provided a great deal of property-tax relief to forestall a tax revolt," the report states. "As in Massachusetts, this weakened the fiscal condition of the state."

Mr. Gold's analysis appears in the March/April 1990 issue of The Fiscal Letter, *published by the N.C.S.L.*

	State	1980 Revenue	1980 Rank	1988 Revenue	1988 Rank	1980-88 Percent Change	1980-88 Rank
New England	Connecticut	4.42	11	4.31	15	-2.5%	36
	Maine	4.34	14	4.26	17	-2.6	36
	Massachusetts	5.87	2	3.63	24	-38.1	51
	New Hampshire	5.22	5	5.48	3	5.0	24
	Rhode Island	4.85	9	4.57	11	-5.7	43
	Vermont	4.89	7	5.33	6	9.0	17
Mid-Atlantic	Delaware	1.81	49	1.59	49	-12.2	47
	District of Columbia	2.96	29	5.02	7	69.5	1
	Maryland	2.98	28	2.85	35	-4.2	40
	New Jersey	4.85	8	4.61	10	-4.9	42
	New York	5.18	6	4.80	8	-7.4	44
	Pennsylvania	2.77	32	2.90	34	4.7	25
Great Lakes	Illinois	3.64	20	3.83	22	5.3	23
	Indiana	2.83	31	3.22	28	13.6	10
	Michigan	4.33	15	4.67	9	7.9	19
	Ohio	3.14	26	3.04	31	-3.1	37
	Wisconsin	4.01	17	4.55	12	13.5	12
Plains	Iowa	3.95	19	4.49	14	13.6	11
	Kansas	3.96	18	3.89	20	-1.8	33
	Minnesota	3.55	21	3.97	19	11.9	15
	Missouri	2.51	38	2.03	45	-19.2	49
	Nebraska	4.54	10	4.52	13	-0.5	29
	North Dakota	3.21	25	3.20	29	-0.4	28
	South Dakota	4.36	13	4.31	16	-1.1	31
Southeast	Alabama	1.12	51	1.11	51	-0.8	30
	Arkansas	1.34	44	1.75	43	30.6	5
	Florida	2.69	36	3.26	27	21.2	6
	Georgia	2.66	34	2.83	36	6.8	22
	Kentucky	1.96	47	1.91	47	-1.9	34
	Louisiana	1.47	50	1.85	46	25.9	4
	Mississippi	2.19	42	2.59	38	18.1	7
	North Carolina	2.37	39	2.36	40	-0.4	27
	South Carolina	2.34	40	2.70	37	15.4	9
	Tennessee	2.16	43	2.13	41	-1.4	32
	Virginia	2.72	33	2.93	33	7.8	20
	West Virginia	1.91	46	2.05	44	7.6	21
Southwest	Arizona	4.36	12	3.79	23	-13.0	48
	New Mexico	1.93	45	1.38	50	-28.6	50
	Oklahoma	1.84	48	2.09	43	13.5	13
	Texas	3.24	24	4.18	18	28.9	2
Rocky Mountain	Colorado	3.53	22	3.88	21	9.8	16
	Idaho	2.83	30	3.02	32	2.9	26
	Montana	5.57	4	5.38	5	-3.3	38
	Utah	3.27	23	3.64	26	9.8	16
	Wyoming	5.63	3	7.04	1	25.0	6
Far West	Alaska	7.17	1	6.91	2	-3.6	39
	California	2.65	35	3.12	30	17.9	8
	Hawaii	2.32	41	2.09	42	-9.7	46
	Nevada	2.55	37	2.44	39	-4.3	41
	Oregon	4.25	16	5.46	4	28.4	3
	Washington	3.04	27	3.41	26	12.3	14

Source: *The Fiscal Letter*, March/April 1990, National Conference of State Legislatures, based on data from the U.S. Census Bureau, *Governmental Finances in 1979-80* and *Governmental Finances 1987-88*; and U.S. Commerce Department, *Survey of Current Business* (August 1987).